

**WILLMAR CITY COUNCIL PROCEEDINGS**  
**BOARD ROOM**  
**HEALTH AND HUMAN SERVICES BUILDING**  
**WILLMAR, MINNESOTA**

December 19, 2022  
6:30 p.m.

The regular meeting of the Willmar City Council was called to order by Mayor Marv Calvin. Members present on a roll call were Mayor Marv Calvin, Council Members Rick Fagerlie, Julie Asmus, Michael O'Brien, Justin Ask, Vicki Davis, Andrew Plowman, and Audrey Nelsen. Present 8, Absent 1. Thomas Butterfield was excused from the meeting.

Also present were City Administrator Leslie Valiant, City Operations Director Kyle Box, Police Chief Jim Felt, Fire Chief Frank Hanson, Planning and Development Services Director Justice Walker, Public Works Director Gary Manzer, and City Clerk Judy Thompson.

There were no additions or deletions to the agenda.

Council Member Fagerlie moved to approve the agenda. Council Member O'Brien seconded the motion, which carried unanimously.

City Clerk Thompson reviewed the consent agenda.

- A. City Council Minutes of December 5, 2022
- B. Willmar Municipal Utilities Board Minutes of December 12, 2022
- C. Planning Commission Minutes of November 2, 2022
- D. Accounts Payable Report for November 29 through December 12, 2022
- E. On-Sale and Club On-Sale 2023 Sunday Liquor License Renewals
- F. Sale of THC Products 2023 License Renewals
- G. United Way Gambling Exempt Permit
- H. Willmar Hockey Booster/Blue Line Gambling Exempt Permit
- I. **Resolution No. 2022-155 Awarding the 2023 Tree Requirements Quote to Stacy's Nursery in the Amount of \$31,900**
- J. Stadium View Minor Subdivision
- K. Consideration of Charter Commission Members:
  - Reappointment: Karla Tinklenberg, Dan Reigstad and Ruth Trageser
  - New Appointment: Kelly Welch, Jan Dahl and Jo DeBruycker
- L. New Appointments to Boards/Commissions
  - Steve Tammen to Park and Recreation Board
- M. Reappointments to Boards/Commissions
  - Bruce DeBlieck to Municipal Utilities Commission
  - Chloe Quinn to Park and Recreation Board
  - Joshua Monson to Board of Zoning Appeals
  - Michael Kubesh to Police Civil Service Commission
  - Les Heitke to EDC Operations Board
  - Jill Benson to Human Rights Commission
  - Denis Anderson to HRA Board

Information:

- N. Building Report November 2022
- O. Charter Commission Minutes of June 28, 2022
- P. Charter Commission Minutes of December 5, 2022

Council Member Fagerlie offered a motion to approve the consent agenda. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

There was no one present to speak during the Open Forum.

At 6:35 p.m., Mayor Calvin opened the public hearing for the proposed 2023 Street and Other Improvements. Contract City Engineer Jared Voge presented pertinent information regarding the proposed improvements.

Brian Bollig, 1410 Grace Avenue SW, addressed the Mayor and Council speaking in favor of the proposed reconstruction of his street, but against the proposed sidewalk along Grace Avenue. Mr. Bollig presented a petition signed by 39 residents living on Grace Avenue SW against the proposed sidewalk.

Sofia Bollig, 1410 Grace Avenue SW, addressed the Mayor and Council speaking against the removal of trees along Grace Avenue SW for the proposed project.

Sofia Negen, 500 26th Street SE, addressed the Mayor and Council speaking in favor of adding a sidewalk to the proposed project for her area. She noted a sidewalk would address several safety concerns with students walking to and from Lakeland Elementary School.

Josh Johnson, 1459 Grace Avenue SW, addressed the Mayor and Council speaking in favor of the proposed reconstruction of his street, but against the proposed sidewalk, trees being removed, and proposed cost of the assessments. Mr. Johnson presented a petition signed by 35 residents living on Grace Avenue SW against the proposed tree removal.

Dennis Schaeftbauer, 1436 Grace Avenue SW, addressed the Mayor and Council speaking against the proposed sidewalk along Grace Avenue.

Mark Boeschen, 909 Irene Avenue SE, addressed the Mayor and Council speaking in favor of the proposed project, including the sidewalk, for Irene Avenue. Mr. Boeschen spoke against the proposed method of assessing property owners, and stated his desire to have awareness of the proposed street improvements in advance, i.e. five-year plan so residents can prepare financially for the upcoming assessment.

Steve Fleegal, 904 Irene Ave SE, addressed the Mayor and Council speaking in favor of the proposed project, including the sidewalk for Irene Avenue.

Ryan Lindgren, 1212 Grace Avenue SW, addressed the Mayor and Council speaking against the proposed sidewalk portion of the project along Grace Avenue.

Loren Schultz, 901 Irene Avenue SE, addressed the Mayor and Council speaking in regard to the height of the current curb along his property and the pooling of water on his property. Mr. Schultz inquired if this issue could be corrected with the proposed improvements along Irene Avenue.

City Clerk Thompson read a letter received from Lynden Wittman, 604 24th Street SE, regarding the proposed cost and method of the assessment against his property. Mr. Wittman stated his desire to delay the proposed improvement for a few more years, as his street was paved in 1985 and is still under the 20-year useful life period.

There being no others to speak for or against the proposed street improvements, Mayor Calvin closed the public hearing at 7:32 p.m. and opened it up for discussion by the Council.

Following discussion, Council Member Asmus offered a motion to remove the sidewalk portion of the proposed project along Grace Avenue SW from the design process. Council Member Ask seconded the motion, which carried unanimously.

Consensus of the Council was to hold a discussion, at a later date, regarding the addition of a sidewalk along 23rd Street SE.

Following further discussion, **Resolution No. 2022-156 Ordering the 2023 Street and Other Improvements and Directing Staff to Prepare Final Plans and Specifications** was introduced by Council Member Plowman. Council Member Fagerlie seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Contract City Engineer Jared Voge presented a request to adopt a resolution appointing the Commissioner of Transportation as the Agent of the City of Willmar to accept as its agent, federal aid funds which may be made available or eligible transportation related projects and authorize signatures entering into an agreement prescribing the terms and conditions contained in Minnesota Department of Transportation Agency Agreement No. 1052163.

**Resolution No. 2022-157 Authorizing the City to Enter Into an Agency Delegated Contracting Process Agreement with the Minnesota Department of Transportation** was introduced by Council Member Fagerlie. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Kandiyohi County Housing and Redevelopment Authority Executive Director Jill Bengston presented a request to set a public hearing for receiving comment on the status of the 2019 Small Cities Development Program activities.

Council Member O'Brien offered a motion to set a public hearing for January 9, 2023 at 6:30 p.m. or as soon thereafter as possible, to receive comment on the status of the 2019 Small Cities Development Program activities. Council Member Asmus seconded the motion, which carried unanimously.

Planning and Development Services Director Walker presented a request to authorize staff to start the process of granting an easement to Jason Butler to connect his properties located under the First Street bridge next to 124 Benson Avenue SW. Mr. Butler has offered to pay for the survey to note the easement and get it recorded.

Following discussion, Council Member Plowman offered a motion to approve staff's request. Council Member Ask seconded the motion, which carried unanimously.

Planning and Development Services Director Walker presented a request to enter into an agreement with Engan Architects for design concepts for a Selvig Park expansion.

Following discussion, **Resolution No. 2022-158 Approving Engan Associates Contract For Selvig Park Expansion** was introduced by Council Member Nelsen. Council Member Plowman seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Council Member Ask offered a motion to remove from the table the item designating polling places for elections in 2023. Council Member Fagerlie seconded the motion, which carried.

Operations Director Box presented a request to adopt a resolution designating polling places for elections in 2023. It was noted this needs to be completed by December 31 of each year per statute. Per direction from Council, staff has researched locations for residents in Ward 3, Precinct 1 to vote in their respective Ward. At this time, staff's recommendation is to leave the designated locations in place for 2023, with further review for elections to be held in 2024.

Following discussion, **Resolution No. 2022-159 Approving Designating Polling Places for Elections in 2023** was introduced by Council Member Fagerlie. Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Operations Director Box presented a request to authorize staff to apply for a National Fitness Campaign and Blue Cross & Blue Shield of Minnesota Grant for an outdoor fitness court.

Following discussion, Council Member Plowman offered a motion to approve staff's request. Council Member Davis seconded the motion, which carried unanimously.

Operations Director Box presented a request to adopt the 2023 fee schedule for the City of Willmar which would become effective January 1, 2023.

**Resolution No. 2022-160 Establishes Fees for Services, Permits, and Licenses and Establishes Rental Rates for City Equipment** was introduced by Council Member Asmus. Council Member O'Brien seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Mayor Calvin presented Council Member Plowman a plaque for his service as a Council Member from 2015 – 2022, and thanked him for his service and dedication to the City.

Mayor Pro Tempore Fagerlie presented Mayor Calvin with a plaque for his service as the Mayor from 2015-2022, and thanked him for his service and dedication to the City.

Council Member Fagerlie offered a motion to adjourn the meeting, with Council Member Plowman seconding the motion, which carried. The meeting adjourned at 9:09 p.m.

\_\_\_\_\_  
/s/ Marv Calvin  
MAYOR

Attest:

\_\_\_\_\_  
/s/ Judy Thompson  
SECRETARY TO THE COUNCIL

#### **RESOLUTION NO. 2022-155**

#### **A RESOLUTION AWARDING THE 2023 TREE REQUIREMENTS QUOTE TO STACY'S NURSERY IN THE AMOUNT OF \$31,900.**

Motion By: Fagerlie Second By: Asmus

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the quote of Stacy's Nursery for the 2023 Tree Requirements is accepted, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the quoter for the terms and consideration of the contract in the amount of \$31,900.

Dated this 19th day of December, 2022

\_\_\_\_\_  
/s/ Marv Calvin  
Mayor

Attest:

\_\_\_\_\_  
/s/ Judy Thompson  
City Clerk

#### **RESOLUTION NO. 2022-156**

#### **A RESOLUTION ORDERING THE 2023 STREET AND OTHER IMPROVEMENTS AND DIRECTING STAFF TO PREPARE FINAL PLANS AND SPECIFICATIONS.**

Motion By: Plowman Second By: Fagerlie

WHEREAS, after due Notice of Public Hearing on the construction of street and other improvements for the City of Willmar, Minnesota, hearing on said improvements was duly held and the Council heard all persons desiring to be heard on the matter and fully considered the same.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, as follows:

1. It is advisable, expedient, and necessary that said improvements as described in the Notice of Hearing thereon be constructed and the same are hereby ordered made.
2. The improvements described in said Notice of Hearing are hereby designated and shall be known as 2023 Street and Other Improvements.
3. The City's Interim Engineer is hereby directed to prepare final plans and specifications for said improvements.
4. The City Council shall let the contract for all or part of the work for said improvements or order all or part of the work done by day labor or otherwise as authorized by Minnesota Statutes, Section 429.041, Subdivision 2, within one year of the date of this resolution ordering said improvements.

Dated this 19th day of December, 2022

/s/ Marv Calvin  
Mayor

Attest:

/s/ Judy Thompson  
City Clerk

**RESOLUTION NO. 2022 - 157**

**A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO AN AGENCY  
DELEGATED CONTRACTING PROCESS AGREEMENT WITH THE MINNESOTA  
DEPARTMENT OF TRANSPORTATION.**

Motion By: Fagerlie

Second By: Nelsen

BE IT RESOLVED, that pursuant to Minnesota Stat. Sec. 161.36, the Commissioner of Transportation be appointed as Agent of the City of Willmar to accept as its agent, federal aid funds which may be made available for eligible transportation related projects.

BE IT FURTHER RESOLVED, the Mayor and the City Administrator are hereby authorized and directed for and on behalf of the City of Willmar to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in "Minnesota Department of Transportation Agency Agreement No. 1052163", a copy of which said agreement was before the City Council and which is made part hereof by reference.

Dated this 19th day of December, 2022.

/s/ Marv Calvin  
MAYOR

ATTEST:

/s/ Judy Thompson  
CITY CLERK

**RESOLUTION NO. 2022-158**

**APPROVE ENGAN ASSOCIATES CONTRACT FOR SELVIG PARK EXPANSION**

Motion By: Nelsen Second By: Plowman

BE IT RESOLVED by the City Council of the City of Willmar to authorize the Mayor and Administrator to enter into the professional services agreement with Engan Associates for the predesign of the Selvig Park Expansion.

Dated this 19<sup>th</sup> day of December, 2022

/s/ Marv Calvin  
Mayor

Attest:

/s/ Judy Thompson  
City Clerk

**RESOLUTION NO. 2022-159**

**RESOLUTION APPROVING DESIGNATING POLLING PLACES FOR  
ELECTIONS IN 2023**

Motion By: Fagerlie Second By: Davis

BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that the following buildings be designated as the official voting locations for the 2023 Elections:

FIRST WARD:	1 <sup>st</sup> Precinct	National Guard Armory 614 North Highway 71
	2 <sup>nd</sup> Precinct	Four Season Shelter, Robbins Island 945 Business Hwy 71 N
	3 <sup>rd</sup> Precinct	Word of Faith Family Church 3010 7 <sup>th</sup> Avenue Northwest
SECOND WARD:	1 <sup>st</sup> Precinct	St. Mary's Catholic Church 713 Southwest 12th Street
	2 <sup>nd</sup> Precinct	Vinje Lutheran Church 1101 Willmar Avenue Southwest
	3 <sup>rd</sup> Precinct	Rock of Life, CRC 1708 Southwest 8th Street
	4 <sup>th</sup> Precinct	Mail Ballot

THIRD WARD:	1 <sup>st</sup> Precinct	Refuge Church 1000 6 <sup>th</sup> Street Southeast
	2 <sup>nd</sup> Precinct	Highland Apartments 115 East Becker Avenue
	3 <sup>rd</sup> Precinct	Willmar Education and Arts Center 611 West 5th Street
FOURTH WARD:	1 <sup>st</sup> Precinct	Refuge Church 1000 6 <sup>th</sup> Street Southeast
	2 <sup>nd</sup> Precinct	Calvary Lutheran Church 302 Olena Avenue
	3 <sup>rd</sup> Precinct	First Covenant Church 801 Southwest Willmar Avenue

Dated this 19th day of December 2022.

Attest: /s/ Marv Calvin  
MAYOR

/s/ Judy Thompson  
CITY CLERK

**RESOLUTION NO. 2022-160**

**ESTABLISHES FEES FOR SERVICES, PERMITS, AND LICENSES  
AND ESTABLISHES RENTAL RATES FOR CITY EQUIPMENT**

Motion By: Asmus Second By: O'Brien

WHEREAS, the City Council of the City of Willmar duly establishes fees for service, sets fees for permits and licenses, and establishes rental rates for City equipment.

NOW, THEREFORE, BE IT RESOLVED that the listed fees are duly adopted for the year 2023 and the same hereby ordered kept on file in the office of the City Clerk.

Dated this 19<sup>th</sup> day of December 2023

/s/ Marv Calvin  
MAYOR

Attest:

/s/ Judy Thompson  
CITY CLERK